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3 FINJAN, INC.,
4 Plaintiff,
5 v.
6 CISCO SYSTEMS INC.,
7 Defendant.

8 Case No. [17-cv-00072-BLF](#)
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**12 ORDER STRIKING FINJAN, INC.'S
13 MOTION IN LIMINE NO. 5 AT ECF
14 538; STRIKING CISCO SYSTEMS
15 INC.'S MOTION IN LIMINE NO. 5 AT
16 ECF 539**

17 On April 16, 2020, Plaintiff Finjan, Inc. ("Finjan") and Defendant Cisco Systems Inc.
18 ("Cisco") each filed five motions *in limine* in violation of the Court's November 12, 2019 Order on
19 Motions Re Expert Reports. In that Order, the Court clearly stated:

20 This Court's Standing Order RE Civil Jury Trials limits each party to
21 five (5) motions *in limine*. In this Order, the Court has ruled on two
22 motions (one on each side), seeking to exclude evidence. Thus, Cisco
23 and Finjan are now limited to four (4) motions *in limine* per party to
24 be filed prior to final pretrial conference in conformity with this
25 Court's Standing Orders.

26 ECF 405 at 14. The Court further admonished the parties at the March 26, 2020 hearing on *Daubert*
27 motions, that it found improper the parties' consistent practice in this case to brief motions *in limine*
28 in the guise of other motions – including *Daubert* motions. *See* ECF 506 at 4:6-10; 13:15-17. Not
having reduced further the number of allowed motions *in limine* after hearing the *Daubert* motions,
the Court finds the parties' violation of its November 12, 2019 Order (ECF 405) remarkably
disappointing. Accordingly, the Court STRIKES Finjan's Motion *in Limine* No. 5 and ECF 538
and Cisco's Motion *in Limine* No. 5 at ECF 539. The Court will, of course, hear oral objections to
introduction of evidence at trial. The Court further notes that Finjan's briefs contain single-spaced
footnotes in violation of this Court Standing Order Re Civil Cases. Moving forward, all non-
conforming briefs will be stricken in their entirety.

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2 **IT IS SO ORDERED.**

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4 Dated: April 17, 2020

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BETH LABSON FREEMAN
United States District Judge